

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

RADOSLAV DIMITRIC	§	
	§	
VS.	§	CIVIL ACTION NO. G-07-247
	§	
TEXAS WORKFORCE COMMISSION,	§	
TEXAS A&M UNIVERSITY-GALVESTON,	§	
ET AL.	§	

**ORDER**

Before the Court are “Plaintiff’s Motion for Leave of Court to a) File a Summary Judgment Motion and b) Amend His Complaint with Sex Discrimination Charges,” filed by Plaintiff Radoslav Dimitric, on July 16, 2007 (Instrument No. 20)<sup>1</sup>; “Defendants’ Response in Opposition to Plaintiff Motion for Leave of Court to File a Summary Judgment Motion and to Amend Complaint with Sex Discrimination Charges,” filed by Defendants Texas A&M University-Galveston, Texas A&M University Sysetm, Gates, Hearn, McCloy, McGonagle, Carlson, Szucs, Martinez, Olson, and Watson, on August 8, 2007 (Instrument No. 23); and “Plaintiff’s Motion to Quash and Response to Defendants’ Response In Opposition to Plaintiff’s Motion for Leave of Court to File A Summary Judgment Motion and To Amend Complaint with Sex Discrimination Charges,” filed by Plaintiff Dimitric, on August 24, 2007 (Instrument No. 27). Having carefully considered the Parties’ submissions, the Court **GRANTS** Plaintiff’s Motion for Leave to Amend/Supplement his Complaint so as to add **ONLY** a sex discrimination claim; and **DENIES** Plaintiff’s Motion for Leave of Court

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<sup>1</sup> The Court notes in passing that this was apparently docketed by the Court Clerk as a Motion for Summary Judgment when, in fact, it is only a request for leave to file a motion for summary judgment.

to file a Summary Judgment motion as unnecessary and frivolous. Plaintiff is **ORDERED** to file the Amended Complaint within ten (10) days of the date of this Order, however, it will be deemed to have been filed as of July 16, 2007.

Also before the Court is "Plaintiff's Motion and Petition for Removal of this Action to Houston Division." (Instrument No. 29). Defendant filed an Opposition Plaintiff's Motion. (Instrument No. 30). On October 26, 2007, the case was reassigned to United States District Judge Lee H. Rosenthal, who is a judge in the Houston Division. Plaintiff's Motion (Instrument No. 29) is therefore **DENIED** as **MOOT**.

**IT IS SO ORDERED.**

**DONE** at Galveston, Texas, this 14th day of February, 2008.

  
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John R. Froeschner  
United States Magistrate Judge